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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,463	06/25/2003	John Matuszewski	65823-0459	3234
10291	7590	04/08/2005	EXAMINER	
RADER, FISHMAN & GRAUER PLLC 39533 WOODWARD AVENUE SUITE 140 BLOOMFIELD HILLS, MI 48304-0610			TRAN, QUOC DUC	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/603,463

**Applicant(s)**

MATUSZEWSKI ET AL.

**Examiner**

Quoc D Tran

**Art Unit**

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-24 is/are allowed.
- 6) ☐ Claim(s) 1-3, 6-13 and 25-33 is/are rejected.
- 7) ☐ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-10, 12-13, 25-27, 29-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Lanquist (5,671,273).

Consider claim 1, Lanquist teaches an interface device for testing a telecommunication circuit (col. 1 lines 47-54), comprising: a test cord with a first end integrated with said interface device and a second end terminating with a test connector (col. 2 line 63 – col. 3 line 6); at least two interfaces for selective attachment of diagnostic tool, a first interface comprising a plurality of conductor, and a second interface comprising a jack (col. 2 line 50 – col. 3 line 6); and a first switch that may be selectively placed into at least one of a first and second positions (col. 3 lines 54-65); wherein when said test connector is selectively connected to the telecommunication circuit at a point, operation of the circuit is monitored without disruption when the switch is in said first position (col. 3 lines 54-65) and operation of the circuit is disrupted when the switch is in said second position, permitting analysis of the circuit on opposite sides of the point (col. 3 line 66 – col. 4 line 10).

Consider claim 2, Lanquist teaches wherein said test connector comprises a test probe for connecting to the telecommunications circuit (col. 3 line 2).

Consider claim 3, Lanquist wherein said test connector comprises a test plug for connecting to the telecommunications circuit (col. 2 line 66).

Consider claim 6, Lanquist teaches wherein each of said plurality of conductors comprises one of a stud, banana plug, test port and test lead (see Fig. 1).

Consider claim 7, Lanquist teaches wherein said plurality of conductors comprises four studs, with two of said studs permitting analysis of a first side the point and the other two of said studs permitting analysis of a second side of the point (col. 2 line 45).

Consider claim 8, Lanquist teaches wherein said jack is a RJ-11 type jack (see Fig. 2). It should be noted that RJ-11 jack is a standard telephone jack.

Consider claim 9, Lanquist teaches wherein said first switch is one of a rocker-type switch, a toggle-type switch, rotary-type switch, and a button-type switch (see Fig. 8).

Consider claim 10, Lanquist teaches the interface device further comprising an attachment mechanism for mounting said interface device onto a surface (col. 4 lines 23-26).

Consider claim 12, Lanquist teaches wherein said attachment mechanism comprises one of screws, clips, magnets, and adhesive (col. 4 lines 23-26).

Consider claim 13, Lanquist teaches wherein said attachment mechanism comprises a frame secured to the surface and upon which can be mounted at least one piece of telecommunications equipment (see Fig. 9).

Consider claim 25, Lanquist teaches a method of testing a telecommunications circuit, comprising the steps of: inserting a test connector into a test port of a connectivity block, said test connector located at a free end of a test cord that is integrated with an interface device (col. 2 line 63 – col. 3 line 6); connecting a diagnosis tool to one of a first interface and a second

interface on said interface device; monitoring an operation of the telecommunications circuit without disrupting it by placing a switch on said interface device in a first state; and disrupting the telecommunication circuit by placing said switch on said interface device in a second state, permitting analysis of the telecommunication circuit on opposite sides of the connectivity block (col. 3 line 54 – col. 4 line 10).

Consider claim 26, Lanquist teaches the method of testing a telecommunications circuit further comprising the step of mounting said interface device onto a surface nearby the connectivity block (see Fig. 4).

Consider claim 27, Lanquist teaches an interface device for testing a plurality of telecommunication circuits (col. 1 lines 47-54), comprising: a test cord with a first end integrated with said interface device and a second end terminating with a multi-pair plug capable of connecting to the plurality of telecommunication circuits (col. 2 line 63 – col. 3 line 6); at least two interfaces for selective attachment of a diagnostic tool, a first interface comprising a plurality of conductors, and a second interface comprising a jack (col. 2 line 50 – col. 3 line 6); and a switch that may be selectively placed into one of a plurality of positions, wherein anyone of the plurality of communication circuits can be selected, by control of said switch, for either testing, whereby a selected communication circuit is disrupted, or monitoring, whereby the selected communication circuit is not disrupted (col. 3 line 54 – col. 4 line 10).

Consider claim 29, Lanquist teaches wherein each of said plurality of conductors comprises one of a stud, banana plug, test port and test lead (see Fig. 1).

Conisder claim 30, Lanquist teaches the interface device further comprising an attachment mechanism for mounting said interface device onto a surface (col. 4 lines 23-26).

Consider claim 31, Lanquist teaches an interface device for testing a plurality of telecommunication circuits (col. 1 lines 47-54), comprising: a test cord with a first end integrated with said interface device and a second end terminating with a multi-pair plug capable of connecting to the plurality of telecommunication circuits (col. 2 line 63 – col. 3 line 6); and at least two interfaces for selective attachment of a diagnostic tool, a first interface comprising a plurality of conductors, and a second interface comprising a jack (col. 2 line 50 – col. 3 line 6), wherein upon connecting to said interface device, the diagnostic tool can select any one of the plurality of communication circuits for either testing, whereby a selected communication circuit is disrupted, or monitoring, whereby the selected communication circuit is not disrupted (col. 3 line 54 – col. 4 line 10).

Consider claim 32, Lanquist teaches wherein each of said plurality of conductors comprises one of a stud, banana plug, test port and test lead (see Fig. 1).

Consider claim 33, Lanquist teaches the interface device further comprising an attachment mechanism for mounting said interface device onto a surface (col. 4 lines 23-26).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lanquist (5,671,273) in view of Suffi et al (6,039,578).

Consider claim 11, Lanquist did not suggest wherein the telecommunication circuit point is associated with a connectivity block having a test port, said interface device being mounted nearby the connectivity block so that said test connector of said of said second of said test cord may be selectively connected to the test port. However, Suffi et al suggested such (see Fig. 1-3). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Suffi et al into view of Lanquist in order to enable testing between various network.

5. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lanquist (5,671,273).

Consider claim 28, Lanquist teaches a push-type switch. Lanquist did not suggest wherein said switch comprises a rotary switch. However, it is obvious to one of the ordinary skill in the art at the time the invention was made to replace the push-type switch of Lanquist with a rotary-type switch since it provides same switching function.

#### ***Allowable Subject Matter***

6. Claims 4-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 14-24 are allowed.

#### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any response to this action should be mailed to:



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Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

**(703) 872-9306**

Hand-delivered responses should be brought to:

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and SATURDAY from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

**QUOCTRAN**  
**PRIMARY EXAMINER**

AU 2643

April 2, 2005